

# HOUSE BILL 660

C2, M4, M3

71r1870  
CF SB 261

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By: **Delegates Cardin, Bromwell, Glassman, Morhaim, and Stein**

Introduced and read first time: February 8, 2007

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Biodiesel Renewable Fuel Act**

3 FOR the purpose of requiring certain retail service station dealers to sell a certain  
4 percentage of biodiesel in diesel fuel on an annual basis under certain  
5 circumstances; providing for the increase in the percentage of biodiesel that  
6 must be sold in the State, by certain years, and under certain circumstances;  
7 requiring the Secretary of Agriculture to make certain determinations;  
8 requiring certain retail service station dealers to provide certain evidence to the  
9 Secretary and the Comptroller on an annual basis; requiring the Department of  
10 Agriculture and the Comptroller to jointly establish an Advisory Committee to  
11 facilitate the implementation of this Act; requiring the Advisory Committee to  
12 make a certain annual report; exempting the sale of aviation fuel from the  
13 provisions of this Act; and generally relating to the use of biodiesel in the State.

14 BY repealing and reenacting, without amendments,  
15 Article – Agriculture  
16 Section 10–1501(a) and (b)  
17 Annotated Code of Maryland  
18 (1999 Replacement Volume and 2006 Supplement)

19 BY repealing and reenacting, without amendments,  
20 Article – Business Regulation  
21 Section 10–101(k)  
22 Annotated Code of Maryland  
23 (2004 Replacement Volume and 2006 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to  
2 Article – Business Regulation  
3 Section 10–325  
4 Annotated Code of Maryland  
5 (2004 Replacement Volume and 2006 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
7 MARYLAND, That the Laws of Maryland read as follows:

8 **Article – Agriculture**

9 10–1501.

10 (a) In this subtitle the following words have the meanings indicated.

11 (b) “Biodiesel” means an alternative motor fuel produced from a renewable  
12 resource such as vegetable oil or animal fat.

13 **Article – Business Regulation**

14 10–101.

15 (k) “Retail service station dealer” means a person who operates a retail place  
16 of business where motor fuel is sold and delivered into the fuel supply tanks of motor  
17 vehicles.

18 **10–325.**

19 (A) **“BIODIESEL” HAS THE MEANING STATED IN § 10–1501 OF THE**  
20 **AGRICULTURE ARTICLE.**

21 (B) (1) **ON OR BEFORE JANUARY 1, 2009, OR WHEN THE SECRETARY**  
22 **OF AGRICULTURE DETERMINES THAT PRODUCTION OF BIODIESEL IN THE**  
23 **STATE IS SUFFICIENT, AT LEAST 2% OF THE TOTAL DIESEL FUEL SOLD IN THE**  
24 **STATE BY RETAIL SERVICE STATION DEALERS EACH YEAR SHALL BE BIODIESEL.**

25 (2) **ON OR BEFORE JANUARY 1, 2012, OR WHEN THE SECRETARY**  
26 **OF AGRICULTURE DETERMINES THAT PRODUCTION OF BIODIESEL IN THE**  
27 **STATE IS SUFFICIENT, AT LEAST 5% OF THE TOTAL DIESEL FUEL SOLD IN THE**  
28 **STATE BY RETAIL SERVICE STATION DEALERS EACH YEAR SHALL BE BIODIESEL.**

1           **(C) THE SECRETARY OF AGRICULTURE SHALL PUBLISH THE**  
2 **DETERMINATIONS MADE UNDER SUBSECTION (B) OF THIS SECTION IN THE**  
3 **MARYLAND REGISTER.**

4           **(D) RETAIL SERVICE STATION DEALERS SHALL PROVIDE EVIDENCE OF**  
5 **THEIR BIODIESEL SALES TO THE DEPARTMENT OF AGRICULTURE AND THE**  
6 **COMPTROLLER ON AN ANNUAL BASIS.**

7           **(E) (1) ON OR BEFORE JANUARY 1, 2008, THE DEPARTMENT OF**  
8 **AGRICULTURE AND THE COMPTROLLER SHALL JOINTLY ESTABLISH AN**  
9 **ADVISORY COMMITTEE TO FACILITATE THE IMPLEMENTATION OF THIS**  
10 **SECTION.**

11           **(2) THE ADVISORY COMMITTEE SHALL MAKE AN ANNUAL**  
12 **REPORT, WHICH INCLUDES INFORMATION ON:**

13                   **(I) IMPLEMENTATION OF THIS SECTION, INCLUDING ANY**  
14 **LOGISTICAL, TECHNICAL, AND ECONOMIC ISSUES;**

15                   **(II) COMPLIANCE AND ENFORCEMENT OF THIS SECTION;**  
16 **AND**

17                   **(III) NEW ADVANCEMENTS IN RENEWABLE FUELS.**

18           **(3) THE ADVISORY COMMITTEE SHALL REPORT TO THE**  
19 **PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE, THE SENATE**  
20 **EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE, THE**  
21 **HOUSE ENVIRONMENTAL MATTERS COMMITTEE, AND THE GOVERNOR, IN**  
22 **ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE.**

23           **(F) THIS SECTION DOES NOT APPLY TO THE SALE OF AVIATION FUEL.**

24           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2007.